In the Supreme Court of the United States

OCTOBER TERM, 1967

No. 718

ARTHUR B. SACHS AND M. PRIAL CURRAN, PETITIONERS

v.

UNITED STATES OF AMERICA

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

MEMORANDUM IN OPPOSITION TO PETITION FOR REHEARING

On December 18, 1967, this Court denied a writ of certiorari herein. Petitioners sought rehearing, and on January 15, 1968, this Court requested that the government reply to the petition for rehearing.

Petitioners state that they support the arguments advanced by petitioners in *Kolod et al.* v. *United States,* No. 133. They further request the Court "to inquire of the Solicitor General whether the Government engaged in *any* wiretapping or eavesdropping" in connection with the instant case.

The policy followed by the government in disclosing to the courts instances of electronic surveillance has

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been set forth in the memorandum filed by the United States in No. 133. That policy, however, never came into play in the instant case. The Solicitor General is advised that this Department has no information indicating that these petitioners were at any time the subject of wiretapping or eavesdropping.

Respectfully submitted.

ERWIN N. GRISWOLD,
Solicitor General.

JANUARY 1968.

U.S. GOVERNMENT PRINTING OFFICE, 1968